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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/687,697

10/20/2003

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00862.023288.

2836

5514 7590 11/25/2008  
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EXAMINER

PHAM, LINH K

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

11/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/687,697	<b>Applicant(s)</b> KANEKO ET AL.	
	<b>Examiner</b> LINH K. PHAM	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6,16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-4, 6, and 16-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***DETAILED ACTION***

1. This Office Action is in response to the Request for Continued Examination filed on 09/10/2008.
2. In the Instant Amendment, Claims 1, 3-4, 6, and 16-17 were amended; Claims 1, 17, and 19 are independent claims; Claims 1, 3-4, 6, 11-17, and 19 have been examined and are pending. **This Action is made NON-FINAL.**

***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/10/2008 has been entered.

***Priority***

4. Applicant is reminded that in order for a patent issuing on the instant application to obtain the benefit of priority based on priority papers filed in parent Application No. JP 2002-305832 under 35 U.S.C. 119(a)-(d) or (f), a claim for such foreign priority must be timely made in this application. To satisfy the requirement of 37 CFR 1.55(a)(2) for a certified copy of the foreign application, applicant may simply identify the application containing the certified copy.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1-6, 11, 16-17, and 19 are rejected under 35 U.S.C. 102(b)** as being anticipated by Epler et al., (“Epler”, US 6,026,156).

**Regarding claim 1**, Epler discloses an information processing apparatus comprising:

a manipulation procedure database in which manipulation procedures selectable by a user are described hierarchically (*col. 8, lines 11-40; Fig. 3; col. 9, lines 11-67 to col. 10, lines 1-58; Fig. 4A- 4I*);

a voice output unit which outputs voice information regarding the manipulation procedures (*col. 10, lines 54-57; Figs. 4B, 4E, 4F, and 4H; wherein at least steps 202-208: ‘touch 1 to listen to message’ and ‘allow user to listen to message’*);

a determination unit which determines a designation of the user (*col. 10, lines 54-58; Fig. 4B; wherein at least steps 206, 210 and 216-218; ‘user touches 1? Y/N’, ‘user touches 2? Y/N’*), wherein, when one of (i) the user designates a selection during a time in which voice information regarding a present manipulation procedure is outputted (*col. 10, lines 54-67 to col. 11, lines 1-14; Fig. 4B; wherein at least step 208; ‘allow user to listen to messages, and delete or save message’, ‘user touches 1? Y/N’, ‘user touches 2? Y/N’*), and after (ii) an output of the voice information regarding the present manipulation procedure is finished (*col. 10, lines 54-67 to col.*

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*11, lines 1-57; Figs. 4B-4F; wherein at least steps 202-206, 216, and 302-310, 'user touches 1? Y/N', 'user touches 3? Y/N') and before an output of voice information regarding a next manipulation procedure is started (col. 10, lines 54-67 to col. 11, lines 1-49; Figs. 4B and 4C; wherein at least steps 310-314 and 336-340; 'inactivity timeout, or disconnect detected? Y/N'), the determination unit determines that the present manipulation procedure is selected by the user (col. 10, lines 54-67 to col. 11, lines 1-14; Figs. 4B-4C; wherein at least steps 206, 216, 302, and 324, 'user touches 1? Y/N', 'user touches 2? Y/N'); and*

*a control unit, which, if a manipulation procedure contained in a lower hierarchy than a present hierarchy containing the determined manipulation procedure exists (col. 11, lines 34-67 to col. 12, lines 1-49; Fig. 4B-4C; wherein at least steps 208, 224, 310, 328, and 336, 'user elects to return to main menu' Y/N; if not, control passes to 212, 228, 314, 332, and 338, if yes, control will go to 'port disconnect'), controls the voice output unit to output voice information regarding the manipulation procedure contained in the lower hierarchy than the present hierarchy (col. 11, lines 34-67 to col. 12, lines 1-49; Figs. 4B-4C; wherein at least steps 202, 208, 220 and 304), and which, if a manipulation procedure contained in a lower hierarchy than the present hierarchy does not exist (col. 11, lines 34-67 to col. 12, lines 1-49; Fig. 4B-4C; wherein at least steps 208, 224, 310, 328, or 336, 'user elects to return to main menu' Y/N; if yes, control to return step 200 'main menu'), controls the voice output unit to output voice information regarding a manipulation procedure contained in a top hierarchy different from a top hierarchy of the present hierarchy (Fig. 4B-4C; wherein at least steps 206; if a user do not select '1', the control will go to step 216, 'user touches 2'; at step 216, if user do not select '2', the control will go to step 218).*

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**Regarding claim 3**, Epler discloses the information processing apparatus according to claim 1, wherein the user does not designate a selection, the determination unit determines that the user designates a return to one upper hierarchy than the present hierarchy (*Figs. 4B-4C; wherein at least steps 212, 228, 314, or 332 respectively, the control returns to steps 208, 222, 308, or 326*), and the control unit selects a manipulation procedure, which is set in advance, contained in the hierarchy higher than the present hierarchy and controls the voice output unit to output voice information regarding the selected manipulation procedure (*Figs. 4B-4C; wherein at least step 338, the control returns to step 304, where the user is prompted: "Touch 1 to edit the VIP code screening list, or 2 to edit the caller number screening list"*).

**Regarding claim 4**, Epler discloses the information processing apparatus according to claim 1, wherein if the determination unit determines that the user designates (*col. 10, lines 54-67 to col. 11, lines 1-14; Figs. 4B-4C; wherein at least steps 206, 216, 302, and 324, 'user touches 1? Y/N', 'user touches 2? Y/N'*) a return during a time in which the voice output unit is outputting voice information *col. 10, lines 54-67 to col. 11, lines 1-14; Fig. 4B; wherein at least step 208; 'allow user to listen to messages, and delete or save message', 'user touches 1? Y/N', 'user touches 2? Y/N'*, the control unit controls the voice output unit to output voice information regarding a manipulation procedure immediately selected before a manipulation procedure corresponding to the voice information being outputted currently (*col. 10, lines 54-67 to col. 11, lines 1-49; Figs. 4B and 4C; wherein at least steps 310-314 and 336-340; 'inactivity timeout, or disconnect detected? Y/N'*).

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**Regarding claim 6**, Epler discloses the information processing apparatus according to claim 1, wherein if the determination unit determines that the user designates (*col. 10, lines 54-67 to col. 11, lines 1-14; Figs. 4B-4C; wherein at least steps 206, 216, 302, and 324, 'user touches 1? Y/N', 'user touches 2? Y/N'; col. 18, lines 3-15; fig. 4G*) a transfer to one lower hierarchy than the present hierarchy during a time in which the voice output unit is outputting voice information regarding a manipulation procedure contained in the present hierarchy (*col. 18, lines 3-15; Fig. 4G; wherein as least steps 702-710; 711, 713; 732, 734 and 740*), the control unit controls the voice output unit to stop the output of the voice information (*col. 11, lines 34-67 to col. 12, lines 1-49; Figs. 4B-4C; wherein at least steps 208, 224, 310, 328, or 336, 'user elects to return to main menu' Y/N; if yes, control to return step 200 'main menu'*), selects a manipulation procedure, which is set in advance, contained in the lower hierarchy and controls the voice output unit to output voice information regarding the selected manipulation procedure (*col. 11, lines 34-67 to col. 12, lines 1-49; Figs. 4B-4C; wherein at least steps 208, 224, 310, 328, or 336, 'user elects to return to main menu' Y/N; if yes, control to return step 200 'main menu'; col. 17, lines 3-67 to col. 18, lines 1-23; Fig. 4H*).

**Regarding claim 11**, Epler discloses the information processing apparatus according to claim 1, wherein the voice information expresses a manipulation procedure name selectable by the user (*col. 10, 54-58; Fig. 4B; labeled "Main Menu," control immediately passes to step 202 where the user is prompted: "Hello. You have (number) messages. Touch 1 to listen to messages, 2 to change screening modes, or 3 to edit screening lists"; col. 11, lines 37-40; Fig. 4C; at step 302, then control passes to step 304 where the user is prompted: "Touch 1 to edit the VIP code screening list, or 2 to edit the caller number screening list"*).

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**Regarding claim 16**, Epler discloses the information processing apparatus according to claim 1, wherein when outputs of voice information regarding manipulation procedures contained in a predetermined hierarchy are finished (*col. 17, lines 3-35; Fig. 4H; If the present caller has not disconnected, then control passes to step 746 where a determination is made as to whether the user disconnected and, if so, then all held callers are advised of this fact by a prompt at step 748 advising them "(Name--from database 55) has disconnected)*, the control unit controls the voice output unit to repeatedly output the voice information regarding a manipulation procedure at the top in the manipulation procedures until any manipulation procedure is selected or a transfer to another hierarchy is transferred designated by the user (*col. 11, lines 37-40; Fig. 4C; at step 302, then control passes to step 304 and the control will be repeated the prompt to a user: "Touch 1 to edit the VIP code screening list, or 2 to edit the caller number screening list"*).

**Regarding claim 17**, Epler discloses a method of controlling an information processing apparatus which comprises a manipulation procedure database in which manipulation procedures selectable by a user are described hierarchically, and a voice output unit outputs voice information regarding the manipulation procedures, the method comprising the steps of:

determining a designation of the user (*col. 10, lines 54-58; Fig. 4B; wherein at least steps 206, 210 and 216-218; 'user touches 1? Y/N', 'user touches 2? Y/N'*), wherein when one of the (i) the user designates a selection during a time in which the voice information regarding a present manipulation procedure is outputted (*col. 10, lines 54-67 to col. 11. lines 1-14; Fig. 4B; wherein at least step 208; 'allow user to listen to messages, and delete or save message', 'user touches 1? Y/N', 'user touches 2? Y/N'*), and (ii) after an output of the voice information



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regarding the present manipulation procedure is finished (*col. 10, lines 54-67 to col. 11, lines 1-57; Figs. 4B-4F; wherein at least steps 202-206, 216, and 302-310, 'user touches 1? Y/N', 'user touches 3? Y/N'*) and before an output of voice information regarding a next manipulation procedure is started (*col. 10, lines 54-67 to col. 11, lines 1-49; Figs. 4B and 4C; wherein at least steps 310-314 and 336-340; 'inactivity timeout, or disconnect detected? Y/N'*), the determining step determines that the present manipulation procedure is selected by the user (*col. 10, lines 54-67 to col. 11, lines 1-14; Figs. 4B-4C; wherein at least steps 206, 216, 302, and 324, 'user touches 1? Y/N', 'user touches 2? Y/N'*);;

controlling, if a manipulation procedure contained in a lower hierarchy than a present hierarchy containing the determined manipulation procedure exists (*col. 11, lines 34-67 to col. 12, lines 1-49; Fig. 4B-4C; wherein at least steps 208, 224, 310, 328, and 336, 'user elects to return to main menu' Y/N; if not, control passes to 212, 228, 314, 332, and 338, if yes, control will go to 'port disconnect'*), the voice output unit to output voice information regarding the manipulation procedure contained in the lower hierarchy (*col. 11, lines 34-67 to col. 12, lines 1-49; Figs. 4B-4C; wherein at least steps 202, 208, 220 and 304*); and

controlling, if a manipulation procedure contained in a lower hierarchy than the present hierarchy containing the determined manipulation procedure does not exist (*col. 11, lines 34-67 to col. 12, lines 1-49; Fig. 4B-4C; wherein at least steps 208, 224, 310, 328, or 336, 'user elects to return to main menu' Y/N; if yes, control to return step 200 'main menu'*), the voice output unit to output voice information regarding a manipulation procedure contained in a top hierarchy different from a top hierarchy of the present hierarchy (*Fig. 4B-4C; wherein at least steps 206; if*

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*a user do not select '1', the control will go to step 216, 'user touches 2'; at step 216, if user do not select '2', the control will go to step 218).*

**Regarding claim 19**, claim 17 is similar to scope in claim 17, and is therefore rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
9. **Claims 12-14 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Epler et al., ("Epler", US 6,026,156) in view of Tanaka, (US 2005/0250530).

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**Regarding claim 12**, Epler teaches the information processing apparatus according to claim 1, further comprising:

wherein the determination unit determines a manipulation procedure selected by the user based on the depressed button detected by the detection unit (*col. 10, lines 8-22; Fig. 4A; col. 10, lines 54-67 to col. 11-33; Fig. 4B-4C; wherein at least the steps 202, 220, and 304; the control will be determined a procedure selected by a user base on the user selected option*).

Epler teaches all limitations as recited above, but does not explicitly disclose a plurality of buttons which are associated with different instructions, respectively, and correspond to a plurality of fingers of the user ; and a detection unit which detects which of the plurality of buttons is depressed by the user.

However, Tanaka teaches an input unit for portable telephone, wherein a plurality of buttons which are associated with different instructions, respectively, and correspond to a plurality of fingers of the user (*paras 0037-0038, the function of fingers in which each finger of the ten fingers differentiates a plurality of keys*); and

a detection unit which detects which of the plurality of buttons is depressed by the user (*paras. 0037-0038, the function of fingers in which each finger of the ten fingers differentiates a plurality of keys to press the key*),

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Tanaka with the method of Epler in order to provide the function of fingers in which each finger of the ten fingers differentiates a plurality of keys to press the key (*para. 0038*).

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**Regarding claim 13**, Epler and Tanaka teach the information processing apparatus according to claim 12.

Tanaka further teaches the user can depress the plurality of buttons while positions of the plurality of fingers are fixed on the plurality of buttons, respectively (*para. 0038; the function of finger in which each finger of the ten fingers differentiates a plural of keys*).

**Regarding claim 14**, Epler and Tanaka teach the information processing apparatus according to claim 12.

Tanaka further teaches said plurality of buttons are allocated to a part of a ten key of the apparatus (*para. 0008; Fig. 3 and paras. 0142-0143; the keys 31, 32, 33, and 34 known as the buttons*).

10. **Claim 15 is rejected under 35 U.S.C. 103(a)** as being unpatentable over Epler et al., (“Epler”, US 6,026,156) in view of Eghtesadi et al., (“Eghtesadi”, US 6,243,682).

**Regarding claim 15**, Epler teaches the information processing apparatus according to claim 1, but does not explicitly disclose the information processing apparatus is a copying machine and the manipulation procedures correspond to setting functions for a copying operation of the copying machine.

However, Eghtesadi teaches universal access photocopier wherein the information processing apparatus is a copying machine (*col. 2, lines 24-64; Fig. 1, photocopier machine 18 known as copying machine*) and the manipulation procedures correspond to setting functions for a copying operation of the copying machine (*col. 1, lines 31-67 to col. 2, lines 1-6, a plurality of*

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*commands will be executed by user and a user can access by voice command any function from any screen; col. 2, lines 24-67 to col. 3, lines 1-4; Fig. 1).*

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Eghtesadi with the method of Epler in order to provide a user with a means for a help menu which uses the photocopier voice output to inform the user of specific information about different photocopier functions (*col. 2 lines 66-67 to col. 2, line 1*).

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 1, 3-4, 6, and 16-17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH K. PHAM whose telephone number is (571)270-3230. The examiner can normally be reached on Monday to Thursday from 7:30AM to 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hong S. Stephen can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SY D. LUU/

Primary Examiner, Art Unit 2174

November 14, 2008

/Linh K Pham/

Examiner, Art Unit 2174